

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: COSTE et al.

Serial No.: To be assigned

Group Art Unit:

Filed: Concurrently herewith

Examiner:

For: *EXPRESSION*BOX PCT/DO/EO/US
Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☐ Copies of the references are enclosed
☐ Copies of the references were submitted in parent application Serial No. _____. (37 CFR 1.98(d))
☒ A copy of the International Search Report which issued on International Application No. PCT/EP00/02031 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
- (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
- whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$240.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

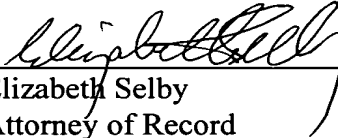
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



Elizabeth Selby
Attorney of Record
Registration No. 38,298

Date: September 11, 2001

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PF3623USW		SERIAL NO. To be assigned			
				APPLICANT COSTE et al.				09/936506	
				FILING DATE Concurrently herewith		GROUP			
U.S. PATENT DOCUMENTS									
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date if Appropriate		
	1.	5,659,122 A	08/19/1997						
Continue on page _____									
FOREIGN PATENT DOCUMENTS									
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No		
	2.	WO8700861 A	02/12/1987	WIPO					
	3.	WO9411521 A	05/26/1994	WIPO					
Continue on page _____									
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)									
	4.	Hess et al., "Sequence and structure determinants of Drosophila Hsp70 mRNA translation: 5'-UTR secondary structure specifically inhibits heat shock protein mRNA translation", <i>Nucleic Acids Research</i> 24:12 2441-2449 (1996).							
	5.	Hunt et al., "Inducible expression of cDNAs in a vector based upon the mouse HSP70 heat-shock promoter", <i>J. Cell. Biochem., Suppl.</i> 12D, 260, XP000933846 abstract (1988).							
	6.	Hunt et al., "Human heat shock protein (hsp 70) gene, complete cds", Accession M11717 (July 1988).							
	7.	Hunt et al., "Conserved features of eukaryotic hsp-70 genes revealed by comparison with the nucleotide sequence of human hsp-70", <i>Proc. Natl. Acad. Sci. USA</i> 82:19 6455-6459 (1985).							
	8.	Joshi et al., "5' untranslated leader sequences of eukaryotic mRNAs encoding heat shock induced proteins", <i>Nucleic Acids Research</i> 23:4 541-549 (1995).							
	9.	Liarakos et al., "The translation efficiency of ovalbumin mRNA is determined in part by a 5' -end hairpin structure", <i>Archives of Biochemistry and Biophysics</i> 315:1 54-59 (1994).							
	10.	Mosely et al., "Heat stress regulates the human 70-kDa heat-shock gene through the 3' -untranslated region", <i>American Journal of Physiology</i> 264:6 Part 1 L533-L537 (1993).							
	11.	Pitto et al., "Role of the leader sequence during thermal repression of translation in maize, tobacco, and carrot protoplasts", <i>Plant Physiology (Rockville)</i> 100:4 1827-1833 (1992).							
Continue on page _____									
EXAMINER					DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.									